



COMPTROLLER GENERAL OF THE UNITED STATES  
WASHINGTON, D.C. 20548

31232

D-179222

August 2, 1973

The Honorable Rogers C. B. Morton  
The Secretary of the Interior

Dear Mr. Secretary:

This is in reply to the July 17, 1973 letter from the Deputy Assistant Secretary of the Interior (EBP-EG), forwarding the protest of Commonwealth Electric Company against award to any other firm under the Bonneville Power Administration's invitation for bids No. 3411, along with your Department's recommendation thereon.

The IFB was for the clearing and construction of electric transmission lines known as the Carlton-Tillamook Line No. 1. The bid received from Commonwealth Electric in the total amount of \$1,703,700, was low. However, a detailed check of the mathematical computations involved with the 105 line items revealed a discrepancy with respect to item number 98, which called for approximately 1,340,000 pounds of steel. Commonwealth's bid indicated a unit price of 24 cents and a total line item price of \$308,200. The contracting officer, treating the unit price as controlling because the quantities specified in the bid schedule were only approximations and contract payments were to be based on unit prices for work actually performed, evaluated line item 98 as \$321,600, which changed the total bid price from \$1,703,700, to \$1,717,100. Another bidder, Pettijohn Engineering Company, Incorporated, bid \$1,710,408, and the contracting officer plans to make award to that company.

Commonwealth, in its protest, claims that it made an error in the unit price for item 98 (which it claims should have been 23 cents), not in the total line item price or in the total bid price, and it has submitted its working papers and a letter of explanation to show that the line item price of \$308,200 was the intended bid.

The general rule is that correction of an erroneous bid will not be permitted if the correction would displace another bidder as the successful bidder, unless the error is obvious and the intended bid price can be ascertained from the bid itself. 50 Comp. Gen. 497 (1971). Here it is obvious that an error was made, but it is not evident from the bid submitted by Commonwealth if the error was in the unit price or in the line item price. Therefore, correction of the bid would confer upon Commonwealth an unfair competitive advantage, since it would be able to decide after bid opening whether or not to

IR 1000

R. A. Smith

719237

091740

NEW

B-179222

claim that the lower bid was actually intended. Accordingly, the working papers submitted by Commonwealth may not be considered, the bid may not be corrected and the protest must be denied. 49 Comp. Gen. 12 (1969); 50 Comp. Gen. 497, supra.

The file furnished with the Deputy Assistant Secretary's letter is returned herewith.

Sincerely yours,

PAUL G. DEMING

For the Comptroller General  
of the United States

Enclosure